



IN THE SUPREME COURT OF IOWA

IN THE MATTER OF IOWA RULE
OF CIVIL PROCEDURE 1.453,
IOWA RULE OF CRIMINAL
PROCEDURE 2.34 AND IOWA
COURT RULE 8.35

SUPERVISORY ORDER

Pursuant to this court's supervisory and administrative authority under Iowa Code section 602.1201 (2009), Iowa Rule of Civil Procedure 1.453 and Iowa Rule of Criminal Procedure 2.34 are temporarily amended, effective immediately, and Iowa Court Rule 8.35 is temporarily adopted, effective immediately. These amendments will become permanent on August 28th, 2009.

Dated this 29th day of June, 2009.

THE SUPREME COURT OF IOWA

By Marsha Ternus
Marsha K. Ternus, Chief Justice

IN THE SUPREME COURT OF IOWA

FILED

JUN 29 2009

CLERK SUPREME COURT

IN THE MATTER OF IOWA RULE
OF CIVIL PROCEDURE 1.453,
IOWA RULE OF CRIMINAL
PROCEDURE 2.34 AND IOWA
COURT RULE 8.35

REPORT OF THE
SUPREME COURT

TO: THE HONORABLE RICHARD T. ANDERSON, RANKING MEMBER OF
THE HOUSE JUDICIARY COMMITTEE OF THE 2009 REGULAR
SESSION OF THE EIGHTY-THIRD GENERAL ASSEMBLY OF THE
STATE OF IOWA.

Pursuant to Iowa Code sections 602.4201 and 602.4202 (2009), the
Supreme Court of Iowa has approved and reports on this date to the Ranking
Member of the House Judiciary Committee the adoption of Iowa Rule of Civil
Procedure 1.453, Iowa Rule of Criminal Procedure 2.34 and Iowa Court Rule
8.35. These amendments shall take effect August 28, 2009.

Dated this 29th day of June, 2009.

Respectfully submitted,

THE SUPREME COURT OF IOWA

By Marsha Ternus
Marsha Ternus, Chief Justice

ACKNOWLEDGMENT

I, the undersigned, Ranking Member of the House Judiciary Committee,
hereby acknowledge delivery to me on the ___ day of _____, the Report
of the Supreme Court pertaining to Iowa Rule of Civil Procedure 1.453, Iowa
Rule of Criminal Procedure 2.34 and Iowa Court Rule 8.35.

Ranking Member of the House
Judiciary Committee

**Please retain the copy and sign and return the original to: The Iowa
Supreme Court Clerk's Office, Iowa Judicial Branch Building, 1111 East
Court Avenue, Des Moines, IA 50319.**

CHAPTER 1

IOWA RULES OF CIVIL PROCEDURE

Rule 1.453 When and how entered. A judge may enter judgments, orders or decrees at any time after the matter has been submitted, effective when filed with the clerk, or as provided by rule 1.442(5). The clerk shall promptly mail or deliver notice of such entry, or copy thereof, to each party appearing, or to one of the party's attorneys. The clerk is authorized to deliver any judgments, orders, decrees or notices to the e-mail address provided by the attorney or party.

CHAPTER 2

IOWA RULES OF CRIMINAL PROCEDURE

Rule 2.34 Motions, orders and other papers.

2.34(1) *Motions.* An application to the court for an order shall be by motion. A motion other than one made during a trial or hearing shall be in writing unless the court permits it to be made orally. It shall state the grounds upon which it is made and shall set forth the relief or order sought. It may be supported by affidavit.

2.34(2) *Service of motions, orders and papers.* Service and filing of written motions, notices, orders and other similar papers shall be in the manner provided in civil actions.

CHAPTER 8

RULES OF JUVENILE PROCEDURE

(New rule and new division.)

EMANCIPATION OF MINORS

8.35 Emancipation orders.

8.35(1) Separate orders. The juvenile court shall enter findings of fact and conclusions of law separately from an order granting emancipation of a minor.

8.35(2) Confidentiality. The separate findings of fact and conclusions of law shall be confidential. Notwithstanding any other confidentiality statute or rule concerning juvenile court records, orders granting emancipation of a minor under Iowa Code chapter 232C shall be considered public records subject to release by the juvenile court.